A

R. D. File No. 333

1939

Collection No.

22.7.47

Pros. / Serial Nos. 1-19

Subject.

Application of the Indian Aircraft Rules 1937, to the Civil Military Station, Bangalore

Previous References.

777/37 (W)

Later References.

D.F. 281-40.

RF 258/44

S [illegible]—(Green).

MFP—1663 S&P—(M-2971)—24-6-38—100,000.

NOTES AND PRECIS.

1 The delay in submitting this file is very much regretted

2 Please see section 7-A of the Aircraft Act, 1934, as applied to the Station. Whereas in respect of other Acts in force in the Station, the rule making powers contemplate the separate making of rules, the Aircraft Act permits the application of the rules in force in British India under the British Indian Aircraft Act. Similar powers are contained in some of the later Acts extended.

* Encl. to S.N. 3 3
(H) F 777-37

Please see the British Indian Aircraft Rules, 1937. ~~The~~ They purport to have been framed under the Aircraft Act, 1934, and also the Indian Telegraph Act, 1885. The rules pertainin to wireless telegraphs etc. in these Rules are under the Tele graph Act. But there is no provision in this Act, as applied to the Station, permitting the application of British Indian rules. The Crown Representative can only make rules as the Central Government can in British India. Hence, ~~it appears~~, a new section on the lines of section 7-A of the Aircraft Act appears to be necessary in the Telegraph Act.

(1)

(2) 4

One other provision in the British Indian Aircraft Rules 1937, calls for remarks: that is, the preamble states that the Aircraft Rules of 1920 are superseded with the exception of Part IX. Part IX of the 1920 Rules, therefore, must be deemed to be part of and embodied in the 1934 Rules, and must be deemed again to have been framed under the Act of 1934. But as they do not actually find a place in the 1934 Rules, it appears, in the notification applying the Rules to the Station, part IX of the Rules of 1920 must specifically be mentioned. District Magistrate suggests that part IX of the Station draft Rules, 1929, may be incorporated. It appears it is more expedient to apply the entire body of British Indian Rules, which will tend to uniformity for one thing, and for another the necessity for the separate application of the Sea Customs Act to the Station will not arise for the present; it may be perhaps necessary later when a notification is issued

by

* pages 4 et seq
(T) encl. to S.N. 3
F. 232. 1928

** page 12
(A) encl. to S.N. 12
F. 232-28(2)

please see - page 7 (para 5) (c) S.N. 2 F. 139-35

by the Central Government in British India under section 16 of the Act. Moreover the Government of India may not be aggreable to establish a customs-aerodrome in any administered area, but would prefer to have such aerodromes in British India, and direct that all aircraft entering British India shall be first landed in a customs aerodrome in British India. Part IX of the Rules of 1920 may, therefore, have to remain unmodified for the most part.

5 It may be noticed that the Director of Civil Aviation in India is an important official in the working of the Aircraft Rules. There does not appear to be any objection for this official to function for purposes of the Station Rules also. In the course of the reference to the Political Department regarding the rules under the Petroleum Act, it was recommended that if the Crown Representative saw no objection, the Chief Inspector of Explosives in India might function as Chief Inspector for purposes of the Station Rules also.

o not put up.

6 Section Rule 14 of the Aircraft Act requires previous publication for 3 months before rules are made under the Act. This section is retained in the Station Act too. But as the procedure that is now being followed is the application of British Indian Rules, it does not appear that the requirements of section 14 should be complied with.

7 The existing Rules in force in the Station are the Bangalore Airship Rules, 1913, framed by the Resident - prior to the Indian Aircraft (Amendment) Act, 1914, the Act was called the Airships Act, 1911. The rule making powers under the old Act vested concurrently with the Governor General in Council and also the Local Governments. The present Act confers the powers only on the Central Government. Under section 24 of the General Clauses Act, rules framed under the old Act continue in force and will be deemed to have been issued under the provisions of the new Act until they are superseded. The Rules of 1913 will have to be cancelled.

g Page 570 - Macpherson Vol. VI.

8 Draft to the Political Department is submitted for approval.

A.S.Rao
16.7.38.

(from para 1)

Secretary.

9 Please look over draft schedules & see if you have a good reason for differing in detail from Collector's proposals. I suggest that we should treat Br. India registration as our own registration, & that e.g. 5(b) line 4 should read Br. India or Cantt Station as Colln. proposes

A Dalvi
19/7/38

10 The modification that British India shall be read as referring to British India and the Station has been inserted wherever necessary.

11 The provision mentioned in paragraph 3 is no longer necessary in view of Notification of the Political Department No.177-I.B, dated the 10th August 1938 permitting the application of British Indian rules to Administered Areas under any enactment applied to such rules.

12 Part IX of the Rules* of 1920 relate to rules as to aircraft arriving in or departing from British India. As the rules in force in British India will be applicable to arriving

* not put up.

* pages 4 et seq

T

arriving or departing aircraft, it appears all the rules in that Part may be omitted except rule 61 relating to forced landings with suitable modifications.

13

Revised draft to the Political Department is submitted for approval.

AsRao
1.11.38

(from para 9)

Secretary.
Returned by Secretary for reconsidering Part IX of the Aircraft Rules, 1920.

14

Pages 4 et seqq encl. to S.F. 3 (T)
F 132-1928

It appears all the rules in Part IX of the Rules of 1920 may stand unmodified. If this is done, entry into the Station in contravention of the rules would constitute an offence here, and may be punishable under rule 139 of the Rules. Schedule II of the draft has accordingly been modified.

AsRao
21.1.39

(para 14)

Secretary.
Rtd. by Secretary to consider the application of Part IX of the Station Draft Rules, 1925

15

* pp. 4 of Secy
(T) encl. to S.N.7
F.232-28

Part IX of the Indian Aircraft Rules, 1920, contain rules as to aircraft arriving in or departing from British India. According to these rules, all arrivals and departures of aircraft must be at or from customs aerodromes in British India. Which-ever be the destination or starting place of aircraft in India, British India at some stage of the journey must be touched, or rather flown over, and the rules contained in Part IX regarding arrival and departure or import and export of goods etc. apply, and contravention of these rules entail in British India the penalty laid down in rule 139 and item 16 of Schedule VI.

* vide at page
(H) F 777-37

16

It appears Part IX of the 1920 British Indian Rules or Part IX of the Station Draft Rules, 1929, cannot be applied to the Station, for it is not intended that it will be sufficient for aircraft entering or departing from the Station to comply with these rules and exempt themselves from complying with the British Indian rules in this behalf. In that case every State in India should have to be called upon to enforce similar provisions in the State law to regulate entering or departing from such States. The intention, on the other hand, appears to be as stated above, that all aircraft entering or departing from British India must comply with the rules in force in British India, and the first landing must be at a customs aerodrome in British India, and no person in charge of aircraft shall fly the same or allow it to be flown to a place outside British India save from a customs aerodrome.

Cor. p.12
(A) encl to S.N.12
F.232(2)-28

17

The only purpose of the Station rules in this respect must be to provide that landing in or departure from the Station in contravention of the rules in this behalf in British India would be an offence in the Station. Then rule 139 and item 16 of Schedule VI of the rules as in force in the Station will come into pperation and may be invoked to impose the penalties laid down. It appears it is not intended by the Central Government that other Administrations at least Administered Areas, should provide anything further than that.

18 A revised draft is submitted for approval.

ASR
25.2.39

(from para 15)

Secretary.

19 These rules have given us great trouble, and have always been laid aside to make way for more urgent work. I can't find any really satisfactory draft to fit the circumstances. We can't undertake any technical functions in registration &c &c.

20 I think it is best to apply in the following form:

"The Law Representative is pleased to apply the Indian Aircraft Rules, 1937, and Part IX of the Indian Aircraft Rules, 1920 to the said States, subject to any amendment to which the said rules are for the time being subject in British India. The said rules shall be construed as if the said States were a part of British India and the authorities empowered in the rules for the purposes of British India shall for exercise the same powers in the rules as so applied, for the purposes of the said States.

21 We can write to the Home Representative asking him to apply the rules as in the draft enclosed we can say that it appears preferable that all the functions required by the rules should be exercised by the authorities required to perform them in British India and that ~~after considerable examination~~ it appears that the most satisfactory method of applying the rules is in the manner now proposed

22 (I can't see that this need be affected by the declaration of the Parliament under Sec 294(1) of the Govt of India Act. Anyway, we need not mention that.)

A Rumbold
27/2/39.

23 Resident - Aden may be Central
agreed
19 5/3/39.

J.C

(3)

24

Please see para 20 ante. It is submitted that in the draft notification suggested, the words "The said rules shall, be construed as if the said Station were a part of British India" might lead to difficulties if allowed to stand unqualified. If those words remain, offences under the Rules (vide rule 139 (1)) can be tried only ~~in British~~ by British Indian Courts. It is not intended that the the jurisdiction of Station Courts should be ousted. In the circumstances, it is for consideration whether the words "except for the trial of offences under these Rules," should be inserted after "The said Rules shall,".

25

Subject to approval two drafts are submitted. It is for consideration whether the drafts should be shown to Headquarters before they are issued.

Sd
3.4.39.

Secy.
26

I don't think Headquarters need see, but I would like D.I.G. to see. This file has, I am afraid, been left in our office for a very long time. I think the present proposal is for the best way of dealing with a tiresome business. All more detailed adaptations seemed to fail in some aspect.

H Fulerger
13/4/39.

D.I.G. -

The Dist. Magistrate, C & M. Station, Bangalore
R.O. No. F. 777-37, dated 15th April 1939.

1401-B-39

(4)

27

I see no objection to the issue of the draft notification in its amended form, and it is certainly the simplest method.

28

The previous publication of these rules appears to be required by Section 14 of the Indian Aircraft Act 1934 as applied to the Station.

To the Secretary to the Hon'ble the Resident
U/O No.1401-B-39 dated 2nd May 1939.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
3 MAY 1939
Diary No. 45-73
File No.

16-5-39

Dy. No 4573 (1)

29

Rules under the Aircraft Act (XXII of 1934), as applied to the Station, could be promulgated in 2 ways: (I) rules can be made under sections 5 and 7 of the Act as applied, and (II) British Indian rules can be applied under section 7A of the Act as applied. Section 14 of the Act requiring previous publication of rules made under the Act does not obviously apply to the application of British Indian rules under section 7A, and no previous publication appears to be necessary.

30

In this connection attention is invited to letter to the Political Department regarding the making of rules under the Petroleum Act (××× of 1934) as applied to the Station. When the intention ~~was~~ had been to make rules under the Act as applied previous publication had been recommended. But when the arrangement was changed, at the instance of the Political Department, to that of of the application of the British Indian rules to the Station, the question of previous publication was not raised, and the Notification has already been issued applying those rules. We may therefore take it that there has been a ~~ruling~~ ruling on the question of previous publication of rules ~~[when such rules are applied]~~ when the British Indian rules are applied to Administered Areas. It appears previous publication is not necessary. Submitted for orders. [Para 3 of the draft, however, is for consideration]

ASRao
~~30.5.39~~
30.5.39

(From para 27)

31

Secretary

Draft approved.

31/5/39.

Resident.

32

Approved
31/5

S.N 2. Issue.

Avail.

12.7.39

× S.N. 6
Cor. p. 64
F 845-37

(E)

S N. 6
Cor. p. 24
R Dn. 570-38

(K)

& No. 155-I.B
at (3).

Dy.No. 9970 S.N. 3

(W) ← S.N. 2 / Corr. p 5

33 The intention was that all the functions required by the Rules should be exercised by the authorities required to perform them in British India, including the Central Government. But the Political Department have not accepted this, and it is ordered that references to Central Government shall be construed as references to the Crown Representative. Please see Rules like 30, 39, 45, 46, 49 50 etc. The Crown Representative will be the authority cpmpetent to perform all these functions. Perhaps the alteration may be accepted until it is discovered that it leads to administrative difficulties.

encl. to S.N.3 / (H) F 777-37

34 All the other functions will be performed by the British Indian authorities.

35 The Notification may as usual be published in the Residency Orders.

A.S.R. / 30-IX-39

Secretary.

36 J.C. appears to me to miss it slightly a bew ; actually in Madras registration & licences etc. are granted by authorities subordinate to the Central Govt. on behalf of the Central Govt For the Station they will do it on behalf of the Crown Representative. But in fact it means that all functions performed for Madras will be performed by the same offices for the C.T.T. station. They have not seen the point about treating it as part of Br. India : so that an aeroplane ought to be registered in the Station legally separately from registration in Br. India However we shall ignore that, & treat the situation as if the

(12)

Notices, which were logical, had been accepted.

H Mulgan
21/10/39

S No (4): Issue

Dy.No.10250	S.N.(5).
Dy.No.10250-A	S.N.(6).
Dy.No.10251	S.N.(7).

The amendments automatically apply to the Civil and Military Station under the Political Department's Notification No.348-I.B., dated the 21st Sep. 1939.

c.p.9 W.

Draft submitted.

From the Notifications (P.U.Cs.) it will be seen that previous amendments to the Indian Aircraft Rules have been issued; but they do not appear to have been received in Ro.O. As the office copy of the rules has to be brought up-to-date, Co.O. may be requested to send copies of the previous notifications received if any. They may also be asked to supply in future three copies of the Notifications, which will save typing work in this Office.

Office copy will be corrected after issue; Issue Branch may please make an extra copy this notifn.

Done.
30.11.39.

16.10.39.

17.10

16.X.39

Sons. (8): Issue

Co.

Dy.No.12,244. S.N.(9).

W.

Please see S.N.3/c.p.8 & 9.

34

The Notification dated the 21st September 1939, was issued under section 7-A of the Indian Air-craft Act, 1934, which has now been repealed by the Political Department's Notification No.309-I.B., dated the 17th August 1939. Hence the necessity for the issue of a revised notification. It may be mentioned that the Bangalore Airship Rules, 1913, were superseded by the Notification of the 21st September 1939, which the present Notification supersedes. It is not clear why the Bangalore Airship Rules have again been repealed by this Notification. Draft submitted.

40

The present notification has been issued under sections 5, 7 and 8 of the Indian Aircraft Act and was not previously published for criticsm as required by section 14. The clause "and of all other powers enabling him in that behalf" apparently refers to the Political Department's Notification No.177-I.B., dated the 10th August 1938, which gives the rule making authority power to apply the British Indian Rules. It is not known whether our interpretation that this notification does not cancel the condition of previous publication is incorrect or whether the notification has since been modified dispensing with this requirement. As the present notification (puc) has been finally issued, this question may be further examined after the issue of the draft proposed. The Gazette of India will be looked into with a view to find out whether the notification has since been amended.

41 In. 11.12.39.

I would like this to leave it. (Nuss 30/12/39)

Secretary.

Record - B.N.Rao

S.N.S.(W):Cosme. 12/12/39.

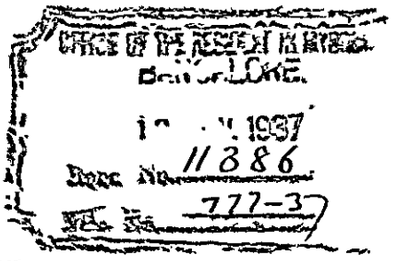
CORRESPONDENCE.

1

18-11-37
No. 2529/B/37 S. N. 1
Encls. (/)

Office of the Collector and Dt. Magistrate,
Civil and Military Station, Bangalore.

Dated 12th November 1937.



Asst 22-xi-37

FROM C. F. V. Williams, Esquire., I.C.S.,
COLLECTOR AND DISTRICT MAGISTRATE,
CIVIL AND MILITARY STATION,
BANGALORE.

To
The Secretary to the Hon'ble the Resident
in Mysore,
BANGALORE.

SIR,

(H) Rules under the Indian Aircraft Act, 1934 - application to the Station - your letter No.F.777-37/R.O.I, dated 23-6-1937.

* S.N. 4 / Corp 7 / F 777-37

I enclose a list of modifications to the Indian Aircraft Rules of 1937, which are considered necessary for the application of these Rules to the Station.

For Part IX of the Aircraft Rules of 1920, the rules contained in Part IX of the Station Draft Rules 1929 published in the Hon'ble the Resident's Notification No. 175, dated 23-12-1931, vide pages 11 to 13, may be substituted and added as Part XIV to the Rules now under consideration.

(A) * Corp 12 / encl to S.N.12 / F.232(2)-28

(A) ← S.N. 12 / Corp 1 / F. 232(2)-28

For the application of Part IX of the 1920 Rules to the Station it is necessary that certain sections of the Indian Sea Customs Act of 1878 and the Indian Tarriff Act of 1894 should be applied, as these two Acts are not in force in the Station. In this connection I invite your attention to this Office letters (1) No.7459-B-32, dated 18-5-1933 and (2) 3323-B-33 dated 21-12-1933, respectively.

* S.N. 2 / F 234-32 + S.N. 4 / F 234-32 (N)

I have the honour to be,

Sir,

Your most obedient servant,

COLLECTOR & DISTRICT MAGISTRATE.

SAG.13.xi.

7

AIRCRAFT RULES 1937.

Rule 1. (1) For the words 'Indian Aircraft Rules 1937' substitute the words "Bangalore Civil and Military Station Aircraft Rules 193

(2) Substitute "the C & M Station of Bangalore" for the words 'British India' or the word 'India' occuring in the following rules:-

Rule 1 (2) line 2.
" 30 (1) line 2.
" (2) line 1.
" (3) line 4.
" 32 lines 2 and 8.
" 36 line 1.
" 38 line 2.
" 38 (2) Proviso 1, line 1.
" 38 (2) Proviso 2 line 2.
" 44 lines 1 and 2.
" 45 lines 3 and 7.
" 46 lines 1 and 7.
" 63 line 5.
" 65 line 2.
" 66 (1) line 1.
" 67 (1) line 2.
" 69 (1) line 2.
" 79 line 1.
" 118 line 4
" 136 line 2.

Schedule II, Section A, para 4 sub-para 4, Proviso 2, line 3 (at page 56).

and Schedule VI Item No. 16 (at page 87).

Add the words "or the Civil and Military Station of Bangalore" after the words 'British India' or 'India' occuring in the*following rules and also after the words "Export" and "Import" in the list of definitions (vide rule 3 (1).)

*Rule 1 (2) line 4.
" 5 (b) line 4.
"

13

Rule 6 Proviso 1 line 1.

" 9 (1) line 2.

" (3) line 1.

" 15 (1) line 4.

" 25 (1) line 1.

" (3) line 1.

" 30 (2) (b) (i) lines 1 and 2.

" 30 (2) (b) (ii) line 3.

" 35 Proviso line 2.

" 37 (1) line (1).

" 46 lines 4 and 5.

" 63 line 2.

" 81 line 2.

" 82 line 7.

Rule 3. The following words may be included in the list of definitions:-

(a) "Station" means the Civil and Military Station of Bangalore.

(b) 1. "Approved Aerodrome"
2. "Chief Customs Authority"
3. "Chief Customs Officer".
4. "Customs Collector"
5. "Customs Aerodrome"
6. "Examination Station"
7. "Proprietor of an Aerodrome"

These words occur in part IX of the Indian Aircraft Rules of 1920- (which has been retained -vide preamble to the Rules now under consideration.) These Words were defined in the Rules of 1920 but have not been defined in the Rules of 1937. The definitions for these words may be adopted from those contained in the Resident's Notification No. 175, dated 23-12-1931 ~~(with further modifications by the Government of India)~~

Rule 18. "The authority authorised" may be specified.

26. Proviso C. delete the words "in a Presidency town or Rangoon".

Part IV. Heading. For "Regulation" read 'Registration'.

Add the words "through the Resident in Mysore" after the words 'the Director of Civil Aviation in India' in the following Rules:

Rule 33 (1) line 2.

" 34 line 4.

Schedule II Section "G" - 7 (1) line 2.

III Section "G" - 1 line 3.

and after the words 'Director of Civil Aviation' in Schedule V Section "B" - 13, line 2.

Rule 38. (8) line 1. for "On" read "An".

" 86. line 3. for "Part" read 'Section

" 112. line 1. for "this Rule" substitute "Rule 113."

" 128. (2) The whole of this sub-rule may be deleted and sub-rule 3 may be renumbered as sub-rule 2, as the former sub-rule is not required for the Station.

Section VI. Rule 129. The whole of this Section also may be deleted, as not required for the Station.

Section VII. This Section may be renumbered as Section VI.

The Rules contained in Part IX of the Indian Aircraft Rules of 1920 may be renumbered as Nos. 139 to 150 and included as Part XIV in the Rules now under consideration Form 'P' referred to in the said Part IX may be termed Schedule VII.

Schedule I. The Prohibited Areas may be specified.

Schedule II. Section "G", sub-para 1 to Section 5. (page 69). Lines 3 and 4. 'The proper authorities' referred to herein may be specified.

Schedule III Section "D" -4. (page 74) ..... 'The person superintending' may also be named.

Schedule VI. (page 87) Item 16. Col.2. For "the rules in Part IX of the Indian Aircraft Rules 1920" substitute the words "Rules 139 to 150 in Part XIV of these Rules".

S. N. 2.

15

R.Dis.No. F.333-38 Judl.

From

The Hon'ble Lt. Col. J.H.Gordon, C.I.E., O.B.E., M.C.,
Resident in Mysore.

To

The Secretary to His Excellency
the Crown Representative,
Simla.

Dated Bangalore, the 12th June 1939.

Application of the Indian Aircraft Rules, 1937, to the Civil and Military Station of Bangalore

Sir,

I have the honour to request that if there is no objection, His Excellency the Crown Representative may be pleased to apply to the Civil and Military Station of Bangalore, under 7A of Indian Aircraft Act, 1934, and section 4 of the Indian Telegraph Act, 1885, as applied to the Station, read with Notification of the Political Department No.177-I.B., dated the 10th August 1938, the Indian Aircraft Rules, 1937, with suitable modifications.

2. A draft notification is submitted for the consideration of His Excellency the Crown Representative. It appears preferable that all the functions required by the rules should be exercised by the authorities required to perform them in British India and I consider that the most satisfactory method of applying the rules is in the manner now proposed.

3.

3. It is presumed that since action is being taken under section 7-A of the Act as applied to the Station, read with the notification of the Political Department referred to above, previous publication under section 14 is unnecessary.

I have the honour to be,

Sir,

Your most obedient servant,

o/c (Sd) J. Gordon,

Lieut. Colonel,

R E S I D E N T.

KK

17

No.

POLITICAL DEPARTMENT

NOTIFICATION.

Dated Simla, the June 1939.

In exercise of the powers conferred by section 7 A of the Indian Aircraft Act, 1934 (XXII of 1934), and section 4 of the Indian Telegraph Act, 1885 (XIII of 1885), as applied to the Civil and Military Station of Bangalore, read with the Notification of the Political Department No.177-I.B., dated the 10th August 1938, and in supersession of the Bangalore Airship Rules, 1913, the Crown Representative is pleased to apply the Indian Aircraft Rules, 1937, and Part IX of the Indian Aircraft Rules, 1920, to the said Station, subject to any amendments to which the said rules are for the time being subject in British India. The said rules shall except for the trial of offences under these rules, be construed as if the said Station were a part of British India and the authorities empowered in the rules for the purposes of British India shall subject to the said exception, exercise the same powers under the rules as so applied, for the purposes of the said Station.

SECRETARY TO HIS EXCELLENCY THE
CROWN REPRESENTATIVE.

S. N. 3

18

No. F.161(4)-I.B./39.

J.C

A copy of the undermentioned paper is forwarded to the Communications Department
Hon'ble the Resident in Mysore

(W) × S.N. 2

() To Cov. p. 5 for information, (with reference to his letter No.R.Dis. Mysore only. No.F.333-38/Judl, dated the 12th June 1939).

P.Ra 27.IX.39

By order, etc.,

for Secretary to His Excellency
the Crown Representative.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
26 SEP 1939
Diary No. 9970
File No. P.Pa. 333/39

Political Department.

Simla.

The 21st September 1939.

Notification by the Political Department No. 348-I.B. dated the 21st September 1939.

(40/25 spare copies will follow.)

OFFICE OF THE RESIDENT IN MYSORE
BANGALORE.
26/9/39
Recd. No. W/468
File No.

No. 348 -I.B.

Political Department.

Dated Simla, the 21st September 1939.

NOTIFICATION.

In exercise of the powers conferred by section 7A of the Indian Aircraft Act, 1934 (XXII of 1934) as applied to the Civil and Military Station of Bangalore and by section 4 of the Indian Telegraph Act, 1885 (XIII of 1885) as applied to the said station, and of all other powers enabling him in that behalf, and in supersession of the Bangalore Airship Rules, 1913, the Crown Representative is pleased to apply Part IX of the Indian Aircraft Rules, 1920 and the Indian Aircraft Rules, 1937, to the said station, subject to any amendments to which the said rules are for the time being subject in British India, and subject to the following modifications, namely:-

(1) All references in the said Rules to the Governor General in Council and British India shall be construed as if they were respectively references to the Crown Representative and the said Station;

(2) All authorities subordinate to the Central Government who for the time being exercise any powers under or in pursuance of the said Rules in, or in relation to, the Province of Madras shall exercise the like powers in, or in relation to, the said Station.

C. LATIMER,
Secretary to His Excellency
the Crown Representative.

8 n 4

The Hon'ble the Resident in Mysore

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Issue 2/x Issued 16/10/39 D.N.

No.123 Dated 16th October 1939

Notification.

The following Notification of the Political Department is republished.

for Secretary to the Resident.

x encl. to P u c

Here enter Notification No. 348-I.B., dated the 21st September 1939.

Copy to the District Magistrate, Civil and Military Station, Bangalore.

ASR 30. IX-39

Ry. 5

GOVERNMENT OF INDIA.

Department of Communications.

NOTIFICATION.

Simla, the 6th September 1939.

No.W.10(8).- In exercise of the powers conferred by Section 5 of the Indian Aircraft Act, 1934 (XXII of 1934) the Central Government is pleased to direct that the following further amendments shall be made in the Indian Aircraft Rules, 1937, namely:-

In Rule 7 of the said Rules,--

1, for clauses (vii) and (viii) of sub-rule (2), the following clauses shall be substituted, namely:-

"(vii) a list showing the name, permanent address, nationality and place of origin of each member of the crew,

(viii) a stores list showing the nature and quantity of all stores carried,

(ix) where the aircraft carries passengers, a list showing the name, permanent address, nationality, place of origin immediate destination and ultimate destination of every passenger,

(x) where the aircraft carries goods, air consignment notes and manifests in respect thereof, showing a description of the goods, the nature of the contract of carriage, the names and addresses of the consignor and the consignee, and the immediate and ultimate destination of the goods;" and

2. after sub-rule (2), the following sub-rule shall be inserted, namely:-

"(3) The provisions of sub-rule (2) shall also apply to aircraft not engaged in international navigation (other than aircraft which do not leave the vicinity of their starting place and which return without landing elsewhere to their starting place) with the following modifications, namely:-

(a)

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
Diary No. 10,250.
File No.

(a) The aircraft need not carry a certificate of airworthiness, unless otherwise required by these Rules to be in possession of the same.

(b) Working copies of the aircraft and engine log books may be carried in lieu of the aircraft and engine log books."

JOHN D. TYSON,
Secretary to the Government of India.

KK

Sir,

DEPARTMENT OF COMMUNICATIONS.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
4 OCT. 1939
Diary No. 10250-A
File No.....

NOTIFICATION.

Simla, the 8th September 1939.

No.W.26(39).- In exercise of the powers conferred by section 5 of the Indian Aircraft Act, 1934 (XXII of 1934), the Central Government is pleased to direct that the following further amendments shall be made in the Indian Aircraft Rules, 1937, namely:-

1. In the said Rules, for rule 33 ~~of~~ the following rule shall be substituted, namely:-

"33.- Change of ownership or possession.-

(1) No aircraft registered in British India whether its certificate of registration is in force or not, shall be sold, let on hire or chartered nor shall the possession or use thereof be otherwise transferred, to any person, company or corporation without the previous permission, in writing of the Director of Civil Aviation in India, and the registration and the certificate thereof shall not lapse until such permission has been obtained.

(2) The registered owner of the aircraft shall furnish to the Director of Civil Aviation in India such particulars of the proposed sale, hiring, charter or transfer as he may require for the purpose of dealing with any application for permission under this rule.

(3) Any transaction in contravention of ~~xx~~ sub-rule (1) shall be void.

2. In rule 34, for the words 'shall lapse as from the date of such notification' the following shall be substituted namely:-

'shall not lapse, unless and until it is cancelled by the Director of Civil Aviation in India'."

JOHN D. TYSON,
Secretary to the Government of India.

GOVERNMENT OF INDIA

DEPARTMENT OF COMMUNICATIONS.

NOTIFICATION.

Simla, the 9th September 1939.

No.W10(9).- In exercise of the powers conferred by section 5 of the Indian Air-craft Act, 1934 (XXII of 1934) the Central Government is pleased to direct that the following further amendment shall be made in the Indian Aircraft Rules, 1937:-

After Rule 12 of the said Rules, the following rule shall be inserted, namely:-

"Prohibited Flights.

12A. Except under, and in accordance with, the terms and conditions of a permit issued by the Director of Civil Aviation in India-

(1) no aircraft registerd in India shall leave British India for the purpose of a flight to a place outside India;

(2) no aircraft shall leave British India for the purpose of a flight to any territory which the Central Government may be Notification in the official Gazette declare to be prohibited."

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
Diary No. 10,251
File No.

JOHN D. TYSON,

Secretary to the Government of India.

THE OFFICE OF THE HON'BLE THE RESIDENT IN MYSORE,

Bangalore, the 1/11/1939

Issued: 1/11/39 17/x

R. Dis. No. F. 333-39 Judl. Enc. 3.

A copy of the undermentioned paper(s) is forwarded to the

District Magistrate, C+M. Station, Bangalore for information

~~for information,~~ ~~in continuation of~~ ~~with reference to~~ ~~the correspondence ending with (his)~~

~~Memorandum~~
~~letter~~ ~~from~~
~~endorsement~~

~~No.~~ ~~dated the~~

By order, etc.,

17.10

~~Secretary~~ Asst. Secy. to the Resident in Mysore.

List of papers.

Notifications by the Government of India in the Department of Communications, Nos. W. 10(8), W. 26(39), and W. 10(9), dated the 6th 8th and 9th September 1939, respectively.

16.10.39.

16.x.39

RD 333/39

16

* With 40
25
spare copies,

* Copy forwarded to the

Communications Department
Hon'ble the Resident in Mysore

for information, in continuation of the Political Department endorsement No.F.161(4)-I.B./39 dated the 21st September 1939.

By order, etc.,

for Secretary to His Excellency the
Crown Representative.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
10,251 4 DEC. 19..
Diary No. 12,244
File No.....

No. 416-I.B.
POLITICAL DEPARTMENT.
Dated New Delhi, the 30th November 1939

N O T I F I C A T I O N.

In exercise of the powers conferred by sections 5 and 7 and sub-section (2) of section 8 of the Indian Aircraft Act, 1934 (XXII of 1934) as applied to the Civil and Military Station of Bangalore and by section 4 of the Indian Telegraph Act, 1885 (XIII of 1885) as applied to the said Station, and of all othe powers enabling him in that behalf, and in supersession of the notification of the Political Department, No. 348-I.B., dated the 21st September, 1939, and the Bangalore Airship Rules, 1913, the Crown Representative is pleased to apply Part IX of the Indian Aircraft Rules, 1920 and the Indian Aircraft Rules, 1937, to the said Station, subject to any amendments to which the said rules are for the time being subject in British India, and subject to the following modifications, namely :--

(1) All references in the said Rules to the Governor General in Council and British India shall be construed as if they were respectively references to the Crown Representative and the said Station;

(2) All authorities subordinate to the Central Government who for the time being exercise any powers under or in pursuance of the said Rules in, or in relation to, the Province of Madras shall exercise the like powers in, or in relation to, the said Station

Sd. C. Latimer,
Secretary to His Excellency the
Crown Representative.

Issue 13/12

Date

THE HON'BLE THE RESIDENT IN MYSORE.

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Notification.

No.78 Dated 16.12.1939.

The following Notification of the Political Department is republished.

Secretary to the Resident.

No.416-I.B.

/Here enter as in Notification No. 416-I.B., dated the 30th Novr. 1939./

Encl. to puc.

Copy to the District Magistrate, Civil and Military Station, Bangalore, in continuation of the Hon'ble the Resident's Notification No.123, dated the 16th October 1939.

S.N.4
c.p.10

11.12.39.

THE HON'BLE THE RESIDENT IN MYSORE.

Notification.

No.178. Dated Bangalore, the 16th December 1939.

Issued 16/12/39

The following Notification of the Political Department is republished

Sd/- H. Trevelyan.

SECRETARY TO THE RESIDENT.

No.416-I.B.
POLITICAL DEPARTMENT.
Dated New Delhi, the 30th November 1939.

Notification.

In exercise of the powers conferred by sections 6 and 7 and sub-section (2) of section 8 of the Indian Aircraft Act, 1934 (XXII of 1934) as applied to the Civil and Military Station of Bangalore and by section 4 of the Indian Telegraph Act, 1885 (XIII of 1885) as applied to the said Station, and of all other powers enabling him in that behalf, and in supersession of the notification of the political Department, No.348-I.B., dated the 21st September 1939, and the Bangalore Airship Rules, 1913, the Crown Representative is pleased to apply Part IX of the Indian Aircraft Rules, 1920 and the Indian Aircraft Rules, 1937, to the said Station, subject to any amendments to which the said rules are for the time being subject in British India, and subject to the following modifications, namely:-

(1) All references in the said Rules to the Governor General in Council and British India shall be construed as if they were respectively references to the Crown Representative and the said Station;

(2) All authorities subordinate to the Central Government who for the time being exercise any powers under or in pursuance of the said Rules in, or in relation to, the Province of Madras shall exercise the like powers in, or in relation to, the said Station.

Sd/- C. Latimer,
Secretary to His Excellency the Crown Representative.

Copy to the District Magistrate, Civil and Military Station, Bangalore, in continuation of the Hon'ble the Resident's Notification No-123, dated the 16th October 1939.

a/c

vdv.

SECRETARY TO THE RESIDENT.